

IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE ROBERT BUNDY,

Defendant

MOTION FOR APPOINTMENT  
OF DR. JOHN WOOD AS  
FORENSIC PATHOLOGIST  
TO ASSIST DEFENDANT  
AT PUBLIC EXPENSE

Comes now the Defendant, Theodore Robert Bundy, pro se,  
and states as follows:

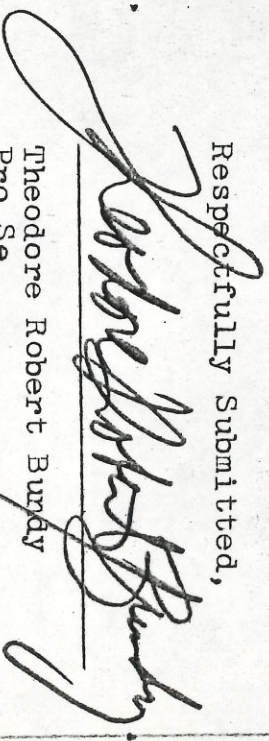
1. On July 14, 1977, Defendant's Motion for the Appointment of a Forensic Pathologist to Assist the Defendant at Public Expense was heard by the Court. The motion was granted with the exception that the requested appointment of Dr. Paul Hermann of Oakland, California, was denied, the Court directing the District Attorney to supply Defendant with a list of pathologists in Colorado who could be appointed instead.
2. Dr. Donald C. Clark, forensic pathologist who performed the autopsy on Caryn Campbell, provided District Attorney Blakey with such a list, and that list was submitted to Defendant on July 14, 1977.
3. The first name on the list was that of Dr. John Wood, 1635 Marian, Denver, Colorado (Phone: 832-2295). Dr. Wood also comes highly recommended by James Dumas of the Colorado Public Defender, who was formerly Defendant's advisory counsel in this action. Dr. Wood was contacted by telephone by the Defendant and agreed to examine the autopsy reports and related findings associated with this case.



Appointment of Pathologist  
Page 2.

WHEREFORE, Defendant moves the Court to appoint Dr. John Wood as consultant for the Defense for the purpose of rendering his professional opinion based on his analysis of the autopsies of Caryn Campbell and Melissa Smith, and to provide Dr. Wood with reasonable compensation and reasonable expenses at public expense.

Respectfully Submitted,



Theodore Robert Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado

Dated this 26th day of July, 1977.







Motion to Suppress DaRonch Identification

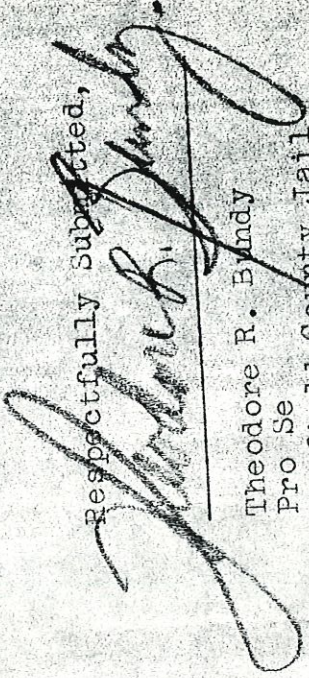
Page 2.

4. Defendant also alleges that his participation in a line-up on October 2, 1975, pursuant to an order of court dated October 1, 1975, amounted to an unlawful seizure of his person. The Utah statute, Utah Code Annotated, 77-13-37 (1953) which purports to allow a magistrate to issue an order when there is probable cause to believe that a crime has been committed and a reason to believe that the suspect committed it is invalid and unconstitutional in that it allows a magistrate to require a person to appear in a line-up on a "reason to believe" standard rather than the "probable cause" standard established by the Fourth through the Fourteenth Amendment to the United States Constitution, thereby permitting defendant's person to be seized on a less than constitutional standard. Therefore, Carol DaRonch's testimony concerning her pre-trial line-up identification is the fruit of an illegal seizure and arrest of defendant's person, denying him due process of law.

Wherefore, Defendant moves the court to hold an evidentiary hearing on this matter and further requests an order suppressing the use of Carol DaRonch's identification testimony because it is the result (1) of procedures so suggestive as to violate defendant's right to due process and (2) of an unreasonable seizure and arrest of his person.

Dated this 2th day of May, 1977.

Respectfully Submitted,

  
Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN

STATE OF COLORADO  
Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

MOTION FOR A  
BILL OF PARTICULARS

54

THEODORE R. BUNDY,

Defendant.

Comes now the Defendant, pro se; Theodore R. Bundy;

and states as follows:

1. Defendant is charged in the above-entitled action with one count of murder in the first degree. This offense is a class 1 felony.

2. Pursuant to Colorado Revised Statutes (1973), Section 16-11-103, the court or jury "shall (upon conviction of guilt of a class 1 felony) conduct a separate hearing to determine whether the defendant should be sentenced to death or life imprisonment." Under the procedure set forth in the above cited Colorado death penalty statute, the court shall not impose a death penalty if certain enumerated "mitigating factors" are found by the trier of fact. A death penalty shall, however, be imposed if certain "aggravating factors" are found.

3. The Direct Information in this action does not state that the prosecution intends to seek the death penalty, and if the death penalty is sought what "aggravating factors" the prosecution will rely on to warrant such a sentence.



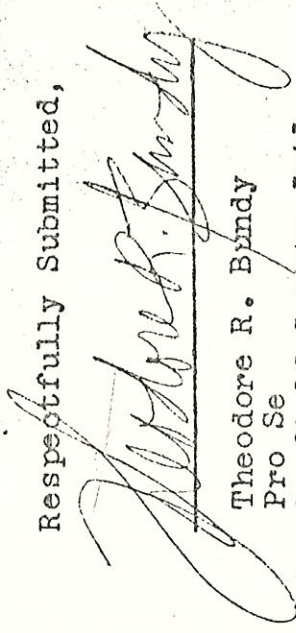
Motion for a Bill of Particulars

Page 2.

Wherefore, the Defendant requests an order, pursuant to Rule 7(g) of the Colorado Rules of Criminal Procedure, for a bill of particulars which directs the district attorney to inform the defense whether he intends to seek the death penalty in this case, and if so, what "aggravating circumstances" does he intend to introduce during the penalty phase to support a death sentence in the event the jury returns a verdict of guilty in this case.

Dated this 13th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO

Plaintiff,

MOTION TO STRIKE  
THE DEATH PENALTY  
FROM CONSIDERATION

vs.

THEODORE R. BUNDY,

Defendant.

Comes now the Defendant, pro se, Theodore R. Bundy,

and states as follows:

1. Defendant is charged in the above-entitled action with one count of murder in the first degree. This offense is a class 1 felony.
2. Pursuant to Colorado Revised Statutes (1973), Section 16-11-103, the court or jury "shall (upon conviction of guilt of a class 1 felony) conduct a separate hearing to determine whether the defendant should be sentenced to death or life imprisonment". Under the procedure set forth in the above cited Colorado death penalty statute, the court shall not impose a death penalty if certain enumerated "mitigating factors" are found by the tier of fact. A death penalty shall, however, be imposed if certain "aggravating factors" are found.

3. The Colorado death penalty statute should be stricken from consideration in this case for the following reasons:

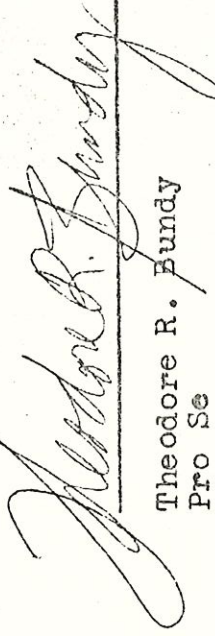


- (a) It inflicts cruel and unusual punishment.
- (b) It violates substantive due process law.
- (c) It violates defendant's right to due process of law.
- (d) It violates defendant's right to equal protection.
- (e) It is contrary to the due process concepts of proof beyond a reasonable doubt.
- (f) The information fails to charge the aggravating factors upon which the prosecution will rely in seeking increased punishment, and such denies defendant due process of law.
- (g) The Colorado death penalty statute was repealed and not reenacted by C.R.S. 1973, and was approved with an improper ballot title.

Wherefore, defendant requests an order striking the death penalty from consideration in this case upon the constitutional and/or statutory bases stated above, and for such other and further relief as the court may deem proper.

Dated this 13th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

MOTION IN SUPPORT  
AFFIDAVIT IN SUPPORT  
OF MOTION FOR ARRAIGNMENT

I, Theodore R. Bundy, being duly sworn upon oath,  
depose and say:

1. I have read the Direct Information filed by the Pitkin County District Attorney in Criminal Action C-1616. I understand that the information charges me with murder in the first degree by stating, in the language of C.R.S. (1973), Section 18-3-102(1)(a), "After deliberation and with intent to cause the death of a person other than himself, he causes the death of that person".

2. I know myself to be not guilty of this charge; I am not guilty of this charge; I wish to enter a plea of not guilty to this charge; and I am entering a plea of not guilty to this charge.

3. I know that I have a right to an attorney, which right I have freely, voluntarily, knowingly, and understandingly waived. I know that I have a right to a trial by jury. I know that during the trial that I may take the stand and that if I do not that fact cannot be held against me. I know I have the right to call and cross-examine witnesses.

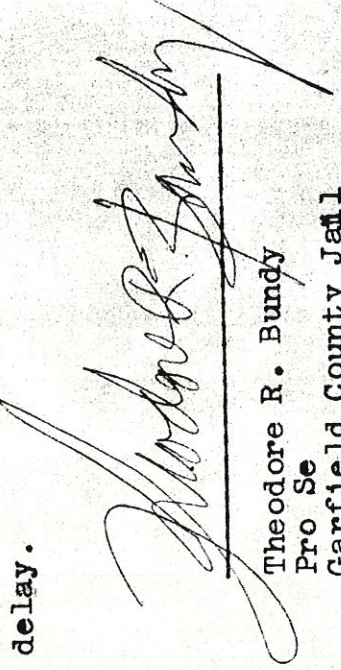


Affidavit

Page 2.

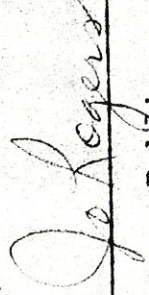
4. In my Motion For Arraignment, I am asking for the opportunity to make a plea because such is my right, and that right is normally exercised within a few days of a finding of cause at the preliminary hearing. I wish to make a plea so that the speedy trial protections of Rule 48 Crim. P. will take effect.

5. It is my good-faith belief that I am entitled to make a plea without unnecessary delay.

  
Theodore R. Bundy  
Pro Se  
Garfield County Jail

Sworn and subscribed to before me this 13<sup>th</sup> day of May, 1977.

My commission expires: 1-21-79

  
Notary Public



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

MOTION FOR ARRAIGNMENT

vs.

THEODORE R. BUNDY,

Defendant.

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. On April 6, 1977, Judge George E. Lohr, following deliberation upon evidence and argument adduced in the preliminary hearing of the above-entitled action, delivered his findings in open court and determined that probable cause existed to believe that the offense charged in the Direct Information had been committed by the defendant. The defendant was bound over for trial.

2. While bound over and awaiting trial, the defendant has not had an opportunity to be arraigned and enter a plea of "not guilty" in this action. On April 15, 1977, defendant brought this matter to the court's attention, but other matters forced the arraignment question to escape consideration. Again, on April 25, 1977, the defendant raised the issue. The court transcript of that date contains the following exchange between Judge Lohr and the defendant:

"MR. BUNDY: Your Honor, just two final matters. Very briefly, does the Court have any objection to setting an arraignment date for the defendant in this matter?"



Motion for Arraignment

Page 2.

"THE COURT: We will set an arraignment after a ruling on the -- what I understand -- I understand that a motion to suppress may be filed and perhaps other motions to be heard at a date early in June that I don't recall.

"MR. BUNDY: Seventh.

"THE COURT: After a ruling on those motions, we will set an arraignment."

3. Rule 7(h)(2) states that if <sup>no</sup> ~~ca~~ probable cause is found at the preliminary hearing the judge shall discharge the defendant; "otherwise the case is set for arraignment or trial". While nothing in Rule 7 or Rule 10 of the Colorado Rules of Criminal Procedure establishes an exact period within which a defendant must be arraigned, the wording of Rule 7(h)(2) would indicate that a time must be set contemporaneous with a finding of probable at preliminary hearing.

4. Nothing in Rule 41 Crim. P., which establishes grounds for suppressing searches, seizures, and confessions, appears to be conditioned upon an entry of a plea by the defendant. A Rule 41 motion must only be made far enough in advance of trial to be considered timely.

5. Only Rule 12(b)(3) directs that a motion raising defenses and objections "shall be made before the plea is entered". However, this rule permits the defendant to make such a motion "within a reasonable time" thereafter.

6. Defendant seeks to be arraigned, notwithstanding the language of Rule 12(b) Crim. P., because a delay in making a plea interferes with his substantive rights created by Rule 48(b) Crim. P.. Rule 48(b) provides that if the defendant is not "brought to trial the <sup>on</sup> issues raised by the . . . information . . . within six months <sup>from</sup> ~~from~~ entry of a plea of not guilty, he shall be discharged <sup>from</sup> ~~from~~ custody . . ., the pending charges shall be dismissed . . . and the defendant shall not again be . . .



Motion for Arraignment

Page 3.

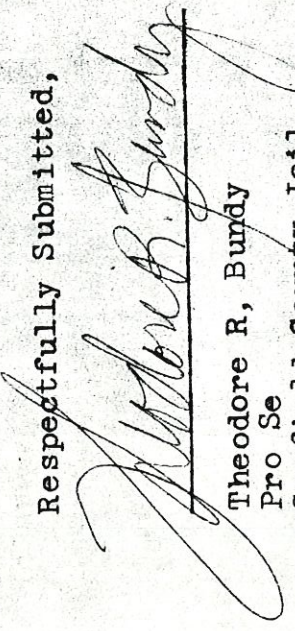
informed against . . . for the same offense". Defendant's right to a speedy trial, guaranteed by this rule, does not attach until he makes a plea of not guilty. While establishing a six month prosecution limitation, Rule 48 Crim. P. is very flexible, outlining seven grounds upon which the period might be tolled.

7. An irregularity of arraignment will affect the proceeding if it affects the substantial rights of the defendant. <sup>/(1973)</sup> Colo. Rev. Stat., Section 16-7-203. The validity of the proceedings and defendant's right to a speedy trial are jeopardized by an undue delay in arraignment.

Wherefore, the Defendant moves for an order setting arraignment without unnecessary delay or May 23, 1977, which ever is sooner. Defendant by this motion does not waive his right to challenge the pleadings by way of a Rule 12(b) motion.

Dated: May 13th, 1977.

Respectfully Submitted,

  
Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN

STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

NOTION IN SUPPONE  
AFFIDAVIT IN SUPPORT  
OF MOTION FOR ARRAIGNMENT

I, Theodore R. Bundy, being duly sworn upon oath,  
depose and say:

1. I have read the Direct Information filed by the  
Pitkin County District Attorney in Criminal Action C-1616.  
I understand that the information charges me with murder in the  
first degree by stating, in the language of C.R.S. (1973),  
Section 18-3-102(1)(a), "After deliberation and with intent to  
cause the death of a person other than himself, he causes the  
death of that person".

2. I know myself to be not guilty of this charge;  
I am not guilty of this charge; I wish to enter a plea of  
not guilty to this charge; and I am entering a plea of not  
guilty to this charge.

3. I know that I have a right to an attorney, which  
right I have freely, voluntarily, knowingly, and understandingly  
waived. I know that I have a right to a trial by jury. I  
know that during the trial that I may take the stand and that  
if I do not that fact cannot be held against me. I know I have  
the right to call and cross-examine witnesses.

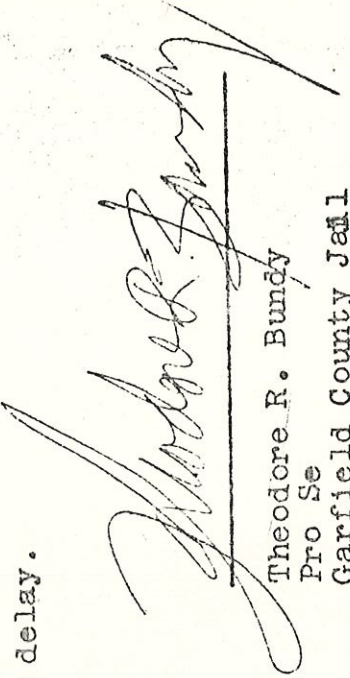


Affidavit

Page 2.

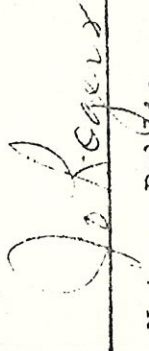
4. In my Motion For Arraignment, I am asking for the opportunity to make a plea because such is my right, and that right is normally exercised within a few days of a finding of cause at the preliminary hearing. I wish to make a plea so that the speedy trial protections of Rule 48 Crim. P. will take effect.

5. It is my good-faith belief that I am entitled to make a plea without unnecessary delay.

  
Theodore R. Bundy  
Pro Se  
Garfield County Jail

Sworn and subscribed to before me this 13<sup>th</sup> day of May, 1977.

My commission expires: 1-21-79

  
Notary Public



Granted 5-23-77  
Arraignment

IN THE DISTRICT COURT

IN AND FOR THE COUNTY OF PITKIN

STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

MOTION FOR ARRAIGNMENT

vs.

THEODORE R. BUNDY,

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2. While bound over and awaiting trial, the defendant has not had an opportunity to be arraigned and enter a plea of "not guilty" in this action. On April 15, 1977, defendant brought this matter to the court's attention, but other matters forced the arraignment question to escape consideration. Again, on April 25, 1977, the defendant raised the issue. The court's transcript of that date contains the following exchange between Judge Lohr and the defendant:

"MR. BUNDY: Your Honor, just two final matters. Very briefly, does the Court have any objection to setting an arraignment date for the defendant in this matter?"



"THE COURT: We will set an arraignment after a ruling on the -- what I understand -- I understand that a motion to suppress may be filed and perhaps other motions to be heard at a date early in June that I don't recall.

"MR. BUNDY: Seventh.

"THE COURT: After a ruling on those motions, we will set an arraignment."

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6. Defendant seeks to be arraigned, notwithstanding the language of Rule 12(b) Crim. P., because a delay in making a plea interferes with his substantive rights created by Rule 48(b) Crim. P.. Rule 48(b) provides that if the defendant is not "brought to trial the <sup>on</sup> issues raised by the . . . information . . . within six months <sup>from</sup> ~~from~~ entry of a plea of not guilty, he shall be discharged <sup>from</sup> ~~from~~ custody . . ., the pending charges shall be dismissed . . . and the defendant shall not again be . . .



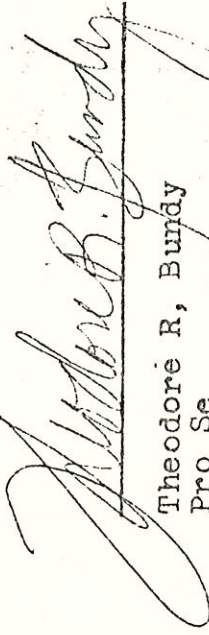
informed against . . . for the same offense". Defendant's right to a speedy trial, guaranteed by this rule, does not attach until he makes a plea of not guilty. While establishing a six month prosecution limitation, Rule 48 Crim. P. is very flexible, outlining seven grounds upon which the period might be tolled.

7. An irregularity of arraignment will affect the proceeding if it affects the substantial rights of the defendant. <sup>/(1973)</sup> Colo. Rev. Stat., Section 16-7-203. The validity of the proceedings and defendant's right to a speedy trial are jeopardized by an undue delay in arraignment.

Wherefore, the Defendant moves for an order setting arraignment without unnecessary delay or May 23, 1977, which ever is sooner. Defendant by this motion does not waive his right to challenge the pleadings by way of a Rule 12(b) motion.

Dated: May 13th, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



Motion for P.D. Discharge

Page 3

by the Public Defender Office to deliver to the defendant for his inspection and copying all books, papers, documents, correspondence, motions, pleadings, reports, courtrooms and investigative notes, photographs and tangible objects in their possession or control which they developed or collected in connection with Theodore R. Bundy and case C1616 in the Pitkin County District Court.

Dated this 2nd day of May, 1977

Respectfully Submitted

Theodore R. Bundy

Theodore R. Bundy  
Pro Se

Defendant requests that it be further ordered that the delivery of this material and information be accomplished and or before May 12, 1977.



*This Motn WAS WITHDRAWN.  
5-23-77*

IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

MEMORANDUM AND ARGUMENT  
ON DEFENDANT'S  
MOTION FOR DISCOVERY AND  
MOTION FOR DISCRETIONARY  
DISCLOSURES

The Defendant is seeking full disclosure of the prosecution's case and evidence in that case pursuant to the provisions of Rule 16 of the Colorado Rules of Criminal Procedure. Before the court is a Motion For Discovery, Motion For Discretionary Disclosures, and an Amendment To Motion For Discovery.

1. Introduction: The Issue of Materiality.

Many of the disclosures sought do not directly fall within the mandatory disclosure language of Rule 16. Such disclosures would be referred to by Rule 16 as discretionary and according to Rule 16 Part I, (e), will be disclosed upon a showing of materiality to the preparation of the defense. The issue is, then, one of materiality, and the question is might the material and information sought create a reasonable doubt in the minds of the jury as to the guilt of the defendant.

2. Suppression of evidence which is or may be favorable to the defense violates due process of law.

Though the threshold question here is one of materiality



This is so because the constitutional requirement is "not punishment of society for misdeeds of a prosecutor but avoidance of an unfair trial to the accused." Brady v. Maryland, supra at 87. The United States Supreme Court has not attempted to precisely define "material evidence" or the degree of prejudice which must be shown by the defendant to make out a violation. See Giles v. Maryland, 386 U.S. 66, 73-74, 17 L.Ed. 2d 737, 87 S. Ct. 793 (1967). Other courts have defined materiality quite broadly as "evidence which might have led the jury to entertain a reasonable doubt about the defendant's guilt", Levin v. Katzenbach, 363 F. 2d 287, 291 (D.C. Cir. 1966); "evidence that may reasonably be considered admissible and useful to the defense", Griffin v. United States, 183 F. 2d 990, 993 (D.C. Cir. 1950); "pertinent facts relating to the defense", Curran v. Delaware, 259 F.2d 707, 711 (3d Cir. 1958). Of course, neither the police nor the prosecution are to decide for the defense what is favorable or material evidence. Barbee v. Warden, 331 F.2d 842, 845 (4th Cir. 1964); Griffin v. United States, supra at 993; People v. Smith, 185 Colo. 369, 524 P2d 607 (1974).

3. The determination of materiality of evidence or its favorability to the defense is not a prosecutorial function but can only be made by the defense.

The question is not only what constitutes material evidence but who applies the definition and makes the actual determination. The Supreme Court recently addressed the issue in Agurs, supra, where the defendant claimed that the prosecutor's failure to reveal the victim's criminal record



Discovery Memorandum

Page 4.

denied her due process. The Court, recognizing that any standard is "inevitably imprecise" and that "the significance of an item of evidence can seldom be predicted accurately until the entire record is complete", warned that "the prudent prosecutor will resolve doubtful questions in favor of disclosure". Id. at 2399. In Colorado, People v. Smith, supra places the responsibility for determining the usefulness of discretionary disclosures sought under Rule 16 Part I, (e) of the Colorado Rules of Criminal Procedure squarely with the defense. The rationale behind such a conclusion is clear. Only the defense can exercise its unique perspective in determining what evidence might best play a role in creating a reasonable doubt as to guilt in the minds of the jurors. The prosecution should not be expected to understand or have knowledge of the strategy of the defense, nor should it be able to exercise a decision making power as to what its adversary can and cannot use in the course of preparing for a defense. For the prosecution to determine what is or is not material to the defense creates, at the very least, most serious conflict of interest problems.

4. In the instant case, the weak and very highly circumstantial nature of the prosecution's case together with the great amount of time which has passed since the alleged offense occurred makes full and liberal disclosure imperative.

The cases cited in this Memorandum have dealt with situations where a convicted defendant later learned that evidence had been suppressed, appealed on this issue, and, if the suppressed evidence was judged material, a new trial was ordered. The defendant wishes to avoid the possibility



Discovery Memorandum

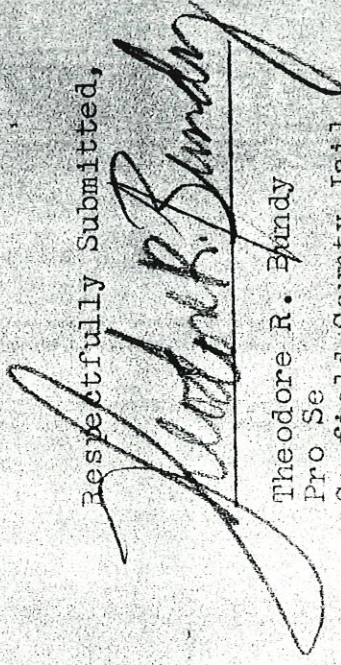
Page 5.

that evidence material to the defense which the prosecution had an obligation to disclose will surface after trial.

Discovery is the ounce of prevention worth much more than a pound of appeals and new trials. An efficient judicial system avoids inefficiency and the risk of error by affording the defense <sup>to determine what it needs that the prosecution</sup> ~~the opportunity~~ has. The prudent judge, like the prudent prosecutor, must resolve doubtful questions in favor of disclosure.

In this case, the prosecution has a twenty-nine month head start in investigation. During that time many records and documents have been destroyed, and many people cannot be found and those who can suffer from understandable memory loss. The defendant in a matter of a couple months with one investigator must cover what the prosecution has taken twenty-nine months and literally dozens of investigators to cover. Why duplicate effort? Why make the defense investigation of this case an adversary game? What possible reason could the prosecution have for not revealing everything it has? The defendant is not seeking to be unreasonable, but he wishes to be fully informed.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



TO BE CONTD.

IN THE DISTRICT COURT

IN AND FOR THE COUNTY OF PITKIN

STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

MOTION FOR JUDICIAL

EXCISION OF NONDISCOVERABLE

vs.

(NONMATERIAL) EVIDENCE

THEODORE R. BUNDY,

Defendant.

Comes now the Defendant, pro se, Theodore R. Bundy,

and states as follows:

1. Defendant has filed with the court a Motion For Discovery, Motion For Discretionary Disclosures, Memorandum and Argument, and an amendment To Motion For Discovery. He is seeking thereby ~~all~~ all material and information material, useful or relevant to the defense. It is the defendant's position that only the defense is in a position to truly evaluate the usefulness or materiality of evidence to the defense which the prosecution has possession of, knowledge of or access to.

2. In the event, however, that the court is reluctant to order disclosure of all that which is sought by the defense, moves that the court collect and review all the material and information described in the above and aforementioned motions, excise the nondiscoverable portions (nonmaterial), and seal and preserve such nondiscoverable evidence, to be made available to the appellate court in the event of an appeal.

*Defendant*



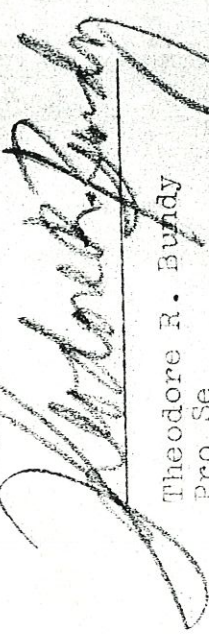
Motion For Excision

Page 2.

3. Defendant finds authority for this motion in Rule 16 Part III, (e) of the Colorado Rules of Criminal Procedure.

Dated this 9th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



*Withdwn*  
*5-23-77*

IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
Criminal Action No. C-1616

PEOPLE OF THE  
STATE OF COLORADO,  
  
Plaintiff,  
  
vs.  
  
THEODORE R. BUNDY,  
  
Defendant.  
  
AMENDMENT TO  
MOTION FOR DISCOVERY  
FILED IN OPEN COURT  
ON APRIL 25, 1977

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. On April 25, 1977, defendant filed a Motion For  
Discovery as generally outlined and authorized by Rule 16  
of the Colorado Rules of Criminal Procedure. ~~He~~  
Defendant, in reviewing his case files and said motion, has  
identified a number of additional disclosures which he desires  
to seek at this time.

2. Defendant seeks the following additions to his  
original Motion For Discovery:

(a) On Page 2. at the end of the paragraph designated  
as 1.(c)(1) insert:

"A list of case names, dates, and locations of  
trials in which Robert Neil has formerly testified  
shall be provided by the District Attorney."

(b) On Page 3. at the end of the paragraph designated  
as 1.(c)(2) insert:

"X-rays taken of the deceased, Caryn Campbell."

(c) On Page 3. at the end of the paragraph designated  
as 1.(c)(2) insert also:

"(3) Reports based on any handwriting analysis  
which used the defendant's handwriting as an exemplar

*-objct-*  
*NOT A REQUEST*  
*REQUEST*

*NO OBJECTION AGEN*  
*TO PROVIDING AS*  
*TO EXHIBIT AS*  
*DISC. 8/10/77.*

*Covered by Order*



"on occasion has cooperated with the Pitkin County, Colorado authorities in the investigation of the Caryn Campbell case. The defendant requests that the Pitkin County District Attorney seek from the SDCP all the material and information which Rule 16 requires a Colorado prosecutor disclose to a defendant in a criminal case, including, but not limited to, the following:

"(1) Police reports, search warrants, search warrant affidavits, search warrant returns, statements of witnesses, photographs, reports of scientific tests, experiments or comparisons, reports of photo and corporeal lineups, papers, documents or tangible items collected during preparation for or used in the prosecution of Theodore R. Bundy for the kidnapping of Carol DaRonch, which are in the possession of control of the SDCP.

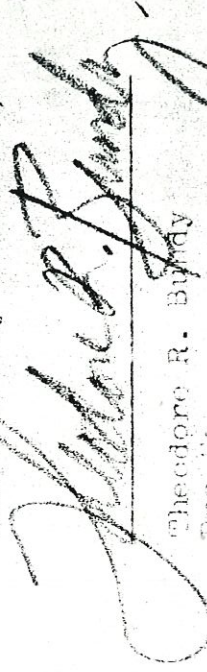
"(2) Reports and documents acquired relevant to the investigation into the death of Caryn Campbell in Aspen, Colorado.

"(3) Any and all records of long distance phone calls made by Theodore R. Bundy from his apartment at 565 1st Avenue, Salt Lake City, checks written by Theodore R. Bundy, and Chevron Oil credit card receipts in the possession or control of the SDCP.

Wherefore, Defendant requests that the above and aforementioned disclosures listed in this amendment be considered with defendant's Motion for Discovery set for hearing on May 9, 1977, and further that the court issue an order directing the Pitkin County District Attorney to disclose, and provide for the copying, inspection, testing, photographing, of the above and aforementioned material and information.

Dated this 9th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado.



Agree or proper remedy. A should like a separate civil action in nature of mandamus - State is directing and provide no penalty, or proper for failure.

IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO  
CRIMINAL ACTION No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO  
Plaintiff,  
vs.  
THEODORE R. BUNDY,  
Defendant.

~~PRO~~OTION FOR AN ORDER  
PROVIDING NECESSARY  
DENTAL CARE TO THE  
DEPENDANT

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. In mid-January, 1977, dentists at the Utah State Prison found that defendant had an abscessed tooth and began a process of operations to remove infected tissue and nerve within the tooth collectively referred to as a root canal. Before the series of operations was complete defendant was extradited to Pitkin County, Colorado on January 31, 1977.
2. Within recent weeks pain again began coming from the infected tooth and the gums around the tooth became very sore and sensitive. In response to a request from the defendant, the Garfield County Sheriff's Office arranged for an appointment for defendant with a Glenwood Springs dentist by the name of Cummins. On April 26, 1977, two deputies of the Pitkin County Sheriff's Office took defendant to Dr. Cummins office. Dr. Cummins examined the abscessed tooth, took x-rays, and at the request of the deputies wrote a note to Sheriff Dick Kienist based on his findings.
3. The dentist discovered that the root canal operation

Report Dr. Cummins submit a written statement based on exam of [unclear] - whether or absence of granting of appropriate pain & there is a risk of loss of [unclear]



Motion For Dental Care

Page 2.

begun in Utah, had not been completed, leaving a portion of the infected nerve deep within the root of the tooth. His prognosis was continued and increasing pain and the eventual loss of the tooth unless a dentist is allowed to remove the remaining infected portion of the tooth. In addition, since removing the interior of the tooth weakens it structurally, he recommended a crown be place over it to prevent craking or breaking.

4. The deputies declined to authorize the work outlined by Dr. Cummins until Sheriff Kienist could be consulted. On May 2, 1977, defendant wrote a letter to Sheriff Kienist explaining the emergent nature of the work to be done and asking the Sheriff to approve the dental work because the Defendant believed it to be the Sheriff's duty to do so. On May 5, 1977, defendant called the Pitkin County Sheriff's Office and was informed by Sheriff Kienist's secretary that the Sheriff would not approve work which he considered "preventive dentistry" and not emergency treatment.

5. Defendant is suffering a great deal of pain and stands to lose a tooth because Sheriff Kienist thinks that by providing the necessary dental care he is providing preventive dentistry. Whatever the Sheriff chooses to call it, a qualified dentist advises immediate treatment. This treatment would save defendant's tooth and alloviate weeks of painful suffering. Immediate treatment is the only humane and adequate alternative and it is humane and adequate treatment that § 16-3-401 of the Colorado Revised Statutes (1963) says shall be given any person in custody.

Wherefore, Defendant moves the court order the Pitkin County Sheriff, Dick Kienist, authorize the dental treatment

*tooth in question -*  
*What will approver from Sheriff -*  
*File w/ct copy to District Attorney*  
*D.A. may have another independent exam by dentist*



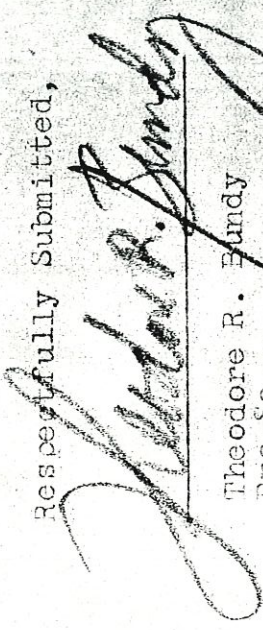
Motion For Dental Care

Page 3.

prescribed on April 26, 1977, by Dr. Cummins, and that  
said authorization be given without delay.

Dated this 9th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado

to test conclusion of Dr. Cummins.  
It will consider matter on  
opinion of dentist.



IN THE DISTRICT COURT  
IN AD FOR THE COUNTY OF PITKIN  
STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

) MOTION FOR AN  
)  
) PROTECTIVE ORDER  
)  
) GUARANTEEING CONFIDENTIAL  
) COMMUNICATIONS AND  
) ESTABLISHING PRIVILEGED  
) RELATIONSHIPS  
)

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. Because defendant is incarcerated and will remain so through the trial because he is unable to post bail, and because he not a licensed attorney, there arise numerous problems regarding the confidentiality of his communications with others who are helping him prepare his defense.

2. Defendant's use of an inmate pay telephone in the Garfield County jail for his outgoing calls, and a booking office telephone for incoming calls creates the risk that conversations with attorneys, forensic experts, and investigators could be overheard. The inmate telephone is not protected by any sound-proofing enclosure, and conversations on this phone can be clearly heard throughout the entire jail.

3. Defendant's ability to confer privately with attorneys, investigators and expert witnesses in his cell could be jeopardized since the Garfield County Sheriff, Ed Hoge, has informed the defendant that listening devices, capable of picking up defendant's voice from inside his cell ~~is~~ <sup>are</sup> being used in the Garfield County jail.

*It a Sheriff to  
work out -  
Belena need for  
conf. of comm. &  
needs security*

*Done*



Motion for Protective Order *Feb 27*

Page 3.

*W/ [Signature]*  
(d) Bruce Lubeck  
12 Exchange Place  
Salt Lake City, Utah

Defendant's attorney of record in Utah working  
on an appeal of defendant's Utah conviction.

*[Signature]*  
(e) John Henry Browne  
623 2nd Avenue  
Seattle, Washington

Chief trial attorney for the Public Defender  
in Seattle from whom defendant frequently  
seeks advice and counsel on this case.

*[Signature]*  
(f) Millard Farmer  
15 Peachtree Street N.E. Suite 831  
Atlanta, Georgia

Chief Counsel of the Team Defense Project  
from whom defendant frequently seeks advice  
and counsel on this case.

*[Signature]*  
(g) Chuck Morton  
2945 Webster  
Oakland, California

An expert on human hair comparison and analysis  
with Western Laboratories who has been  
appointed by the court to assist defendant.

*[Signature]*  
(h) James A. Howard  
115 Vermijo Suite 1  
Colorado Springs, Colorado

A licensed private detective who has been  
appointed by the court to provide investigative  
services to the defendant.

Wherefore, the Defendant moves for a court order  
protecting the confidentiality of his communications regarding  
the preparation of his defense and establishing privileged  
relationships in the manner described in this motion.

Dated this 9th day of May, 1977.

Respectfully Submitted,

*Theodore A. Bundy*

Theodore A. Bundy  
Pro Se  
Carfield County Jail  
Glenwood Springs, Colorado



4. With respect to confidential communications described above, defendant seeks an order:

(a) Proscribing the Garfield County Sheriff, his officers, agents, and employees from monitoring or recording defendant's incoming and outgoing telephone calls. This order should anyone acting as a public or private capacity.

(b) Directing the Garfield County Sheriff to contact Mountain Bell immediately, and have a partial sound-proof enclosure installed around the inmate pay telephone in order to prevent conversations on that phone from being heard in the jail and booking areas.

(c) Proscribing the use of listening devices and recording equipment in or near the defendant's cell and in or near the inmate pay telephone.

(d) Generally prohibiting any attempt to monitor, record or interfere with defendant's confidential communications

5. Defendant requests the court recognize a confidential and privileged relationship exists between defendant and the following persons:

(a) James Dumas  
1575 Sherman St.  
Denver, Colorado

He is an attorney with the Colorado Public Defender's Office assigned to my case.

(b) Charles Leidner  
310 Ninth St.  
Glenwood Springs Colorado

An attorney with the Colorado Public Defender acting as advisory counsel in the case.

(c) John O'Connell  
12 Exchange Place  
Salt Lake City, Utah

Defendant's attorney of record working on an appeal of defendant's Utah conviction.



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

MOTION FOR CONTEMPT  
CITATION ORDER BE  
ISSUED FOR FAILURE  
TO COMPLY WITH A  
RULING OF COURT  
DATED APRIL 25, 1977

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. Pursuant to Rule 407 of the Colorado Rules of Civil Procedure defendant hereby moves the court that a civil contempt citation issue against the Garfield County Sheriff, Ed Hoge; the Ninth District Court Administrator, Mike McClure; and the attorneys for the Colorado Public Defender Office who represented the defendant, Charles Leidner and James Dumas. Defendant alleges that each of the above named individuals has disobeyed, given resistance to and interfered with the court's Ruling of April 25, 1977, which granted defendant certain supplies, and research and communication capabilities defendant needs to prepare his own defense. Defendant alleges that that Ruling has not been substantially complied with in the two weeks which have passed since its issuance and that as a result defendant's ability to prepare his defense has been seriously hampered.

2. Defendant's complaints regarding the precise nature of contempt for the court's Ruling appear in the



Motion For Contempt

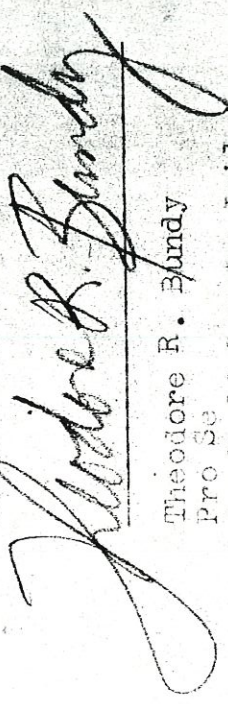
Page 2.

Affidavit In Support Of Motion For Contempt which accompanies this motion.

Wherefore, the Defendant moves the court to hear as soon as possible the evidence for and against the persons charged, find them guilty of contempt, and order remedial action in the form of strict and immediate compliance with the court's Ruling of April 25, 1977.

Dated this 9th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail



May 11, 1977

Honorable Judge Lohr  
Pitkin County Courthouse  
Aspen, Colorado 81611

Dear Judge Lohr:

This letter will constitute a reply in reference to your order that I report to you the materials supplied to Theodore Robert Bundy.

The following items have been issued to Mr. Bundy. A manual typewriter. The table to be supplied to Mr. Bundy has been located by Mr. Michael McClure, District Court Administrator, and will be placed in Mr. Bundy's cell on May 11, 1977. Sufficient lighting has been created in Mr. Bundy's cell by increasing the size of the wattage available in the electrical receptible. Mr. Bundy has been issued typing paper, and onion skin paper, and various office supplies as requested. The xeroxing facilities have been made available to Mr. Bundy and will continue to be made available. The correction tape for Mr. Bundy's typewriter has been supplied. Mr. Bundy has received an index file box, including 3" X 5" cards, legal size folders and various other office supplies, including paper clips, and an appointment calendar. Mr. Bundy received on May 9, 1977 a toll credit card for the District Court telephone and a log sheet upon which to record all of his outgoing telephone calls.

Mr. Bundy is being escorted by two Deputy Sheriff's to the Garfield County Law Library, located in the Garfield County Courthouse in Glenwood Springs. He is allowed to go three hours a day, four times a week. Mr. Bundy is allowed to make outgoing telephone calls during the business day, Monday through Friday. And arrangements have been made for him to receive any incoming calls.

This office will notify Mr. McClure, District Court Administrator, of any office supplies or necessities which Mr. Bundy has presently supplied to him, when his present supply is exhausted for the purpose of resupply.

Sincerely yours,

Edward E. Hoque  
Garfield County Sheriff



- R. TO PROCEED PRO-SE - THIS IS PART OF WHAT HE  
CARE UP - - HUNTER -  
- SIMONS -

Q: IS THERE NO INV. AVAL. IN THIS AREA - ULTERIOR COLONY - TENNESSEE EXCHANGE & LOANING  
WILL BECAUSE NEW BEHOLD.

MOTION TO BE GRANTED

INVESTIGATOR TO BE - IN THE DISTRICT COURT  
Appointed. - IN AND FOR THE COUNTY OF PITKIN

STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

vs.

THEODORE R. BUNDY,

Defendant.

) MOTION FOR THE  
)  
) APPOINTMENT OF AN  
) INVESTIGATOR TO ASSIST  
) INDIGENT DEFENDANT  
)  
) AT PUBLIC EXPENSE  
)  
)  
)

Comes now the Defendant, pro se, Theodore R. Bundy,  
and states as follows:

1. Several factors make the need for a field investigator working on behalf of the defendant in the above-entitled case most essential. The amount of time which has passed since the alleged offense occurred, the large number of out-of-state witnesses, the involvement of alleged similar transactions, missing witnesses, and the gossamer character of the State's highly circumstantial evidence all require the assistance of a defense investigator who can find and develop evidence exculpatory of the defendant.

2. Also a factor for consideration is the immense advantage in investigation the prosecution possesses in this case. It has been investigating this case since the disappearance of the victim on January 12, 1975, nearly 29 months ago. It has been investigating the defendant in connection with this case since August 22, 1975, nearly 20 months ago. In addition to the time advantage, the prosecution



Motion to Appoint Investigator

Page 2.

has the insurmountable advantage in manpower, police power and scientific and financial resources. Law enforcement agencies around the United States and Canada have sent their men into the <sup>State</sup> ~~filed~~ to investigate this case and the defendant at the request of Pitkin County authorities. Investigators from Pitkin County have spent many weeks in both Salt Lake City and Seattle investigating the defendant. The authority of a badge opens many doors and secures documentary evidence which would never be made accessible to the defense.

3. Defendant being his own counsel, incarcerated, and indigent together with factors already discussed make his need for an investigator extraordinarily great.

4. Therefore, the Defendant requests the services of a private investigator, James A. Howard, 115 East Vermijo, Suite 1, Colorado Springs, Colorado 80903 (phone: 475-7360). Mr. Howard has for five years operated his own detective service in the Colorado Springs area, servicing approximately 150 attorneys there. District Court judges in the Colorado Springs area routinely appoint him to criminal cases granting him investigative fees and expenses. He is a licensed detective in the State of Colorado. Mr. Howard charges an hourly rate of \$15 per hour for his services.

Wherefore, Defendant requests that the court appoint James A. Howard to assist defendant in the preparation of the defense, and that the court agree to pay all fees and expenses reasonably associated with his work on behalf of the defendant. The defendant further moves for an order immediately advancing Mr. Howard \$1,000 for an expense fund so that he may begin his work without delay. It should be noted that as the case



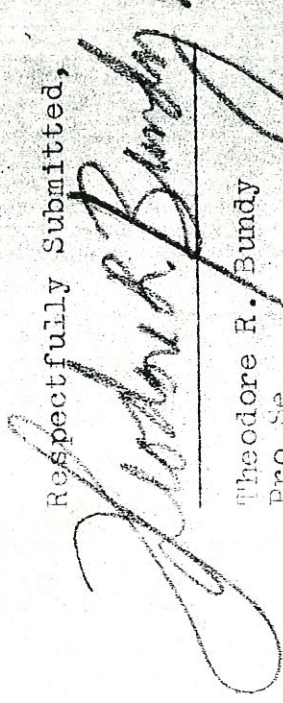
Motion to Appoint Investigator

Page 3.

investigation progresses additional advancements of expense funds should be anticipated.

Dated this 9th day of May, 1977.

Respectfully Submitted,



Theodore R. Bundy  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



In the District Court  
In and for the County of Pitkin  
State of Colorado

Criminal Action Number C-1616

People of the State of Colorado,  
Plaintiff,  
vs  
Theodore R. Bundy,  
Defendant,  
Motion for the  
Public Release to  
Disclosed Case  
Files and Documents  
to Defendant

Come now the Defendant, whose  
Theodore R. Bundy, and states as  
follows:

1. A portion of the defendant's  
Motion to Release the Office of Public  
Defender as Advisory Counsel which  
was heard on April 25, 1977, reads:  
( "Defendant moves for the relief  
which follows:

"(b) An order directing the Public  
Defender to immediately turn over  
to the defendant all files, documents,  
court transcripts, notes, legal research  
and other data developed and  
accumulated in association with Theodore  
R. Bundy and the charge against him  
in Pitkin County Colorado."



2. The court's ruling upon the motion, a transcript of which was sent to the defendant, reflects an order directing the Public Defender to reveal to defendant

for the Public Defender to date, (c) any legal research conducted

for the Public Defender to date, (d) the nature of motions then intended to file in his behalf;

for the Public Defender to date, (e) evidence then intended to present in support of these motions;

for the Public Defender to date, (f) the legal argument then intended to present in support of these motions;

for the Public Defender to date, (g) legal briefs and memoranda prepared in other cases involving similar legal issues, and

(h) through weekly consultation issues of strategy and legal research which the defendant might need to pursue his defense.

3. The court issued no order to the Public Defender to turn over to the defendant for examination and copying all files, documents, notes, and other data developed in this case in the possession and control of the Colorado Public Defender

wherefore the Defendant seeks an order of court directing James Dennis Charles Giddens, and Wallace Barrett



Discretionary Disclosures  
page 5

to be held May 3, 1977, and requests  
that the above and aforementioned  
material and information be disclosed  
to the defense that was made available  
for inspection, copying, testing or  
photocopying in the manner  
prescribed by Rule 16 Part I (b)(2)  
or court order.

Dated this 29th day of April, 1977

Respectfully Submitted,

Richard R. Bunday  
THEODORE R. Bunday  
Pro Se

(J.) - Bunday to file with motion to  
be heard first time on  
Other photo disclosures —



microscopically, like the pubic hairs of Melissa Smith.

(b) The following letters addressed to the FBI from the District Attorney Shimpff's Office:

✓ (I) Letter dated 4/3/75 referred

to in FBI Lab report of 4/25/75,

✓ (II) Letter dated 12/1/75 referred

to in FBI Lab report of 2/9/76,

✓ (III) Letter dated 2/13/76 referred

to in FBI Lab report of 3/22/76, and

✓ (IV) Letter dated 7/6/76 referred

to in FBI Lab report dated 9/19/76.

(i) The name, address and relevant written or recorded statements on the

substance of any oral statements made by a hitherto anonymous witness, who is alleged to reside in Utah.

This witness has been referred to

by District Attorney Frank Jucker in

several news reports as a witness

who, for some reason, had lost a

great deal of usefulness to the

prosecution. The inference was left

that this person might still be

used for a more limited purpose.

Neither the name of the witness nor

his or her statement have been disclosed

to the defendant.

Dated this 11 day of

wherefore the Defendant prays the

court to include this motion in

a discovery motion hearing scheduled



or on behalf and at the request of  
Pittsboro County authorities investigating  
the Carny Campbell case with the  
Grinde family, co-workers, fellow  
students and others who knew the  
defendant.

Q The present location of the  
following items of evidence:

(I) the hair obtained from  
a 1968 Volkswagen formerly owned  
by Theodore R. Bundy,

(II) the head hair sample  
from Carny Campbell, designated as  
K5, by the FBI,

(III) the head hair sample  
taken from Carol DaRonch, designated  
as K4 by the FBI,

(IV) the pubic hair sample  
taken from Melissa Smith, designated  
as K2 by the FBI,

(V) the questioned hair specimens  
obtained from defendant's car which  
were determined by the FBI to be  
microscopically like Carny Campbell's  
head hair,

(VI) the questioned hair specimens  
obtained from ~~William~~ Smith from  
defendant's car which were determined  
by the FBI to be microscopically like  
the head hairs of Carol DaRonch, and

(VII) the questioned hair specimen  
obtained from defendant's car which  
was determined by the FBI to be



and phone numbers of the Chevron Oil employees who authorized the delivery of the credit card receipts to Mrs. Fisher.

(c) Correspondence to and from, and notes and reports based on, telephone or personal conversations with members of the Salt Lake County Sheriff's Office, Salt Lake City, Utah and the Juvenile County Police, Seattle, Washington concerning Theodore R. Bundy as a suspect or defendant in the Carmichael, Carol DaRonch or Melissa Smith case.

(d) Reports, notes, transcripts, documents and tangible objects relevant to the defendant as a suspect or defendant in the Carmichael, Carol DaRonch, or Melissa Smith case which were produced during or generated by a conference held in Aspen, Colorado between November 12 and 14, 1975, where Theodore R. Bundy was the main topic of conversation and which was reportedly attended by 30 law enforcement officers.

(e) All reports, and the substance of all communications dealing with suspects in the Carmichael and other than the defendant, Theodore R. Bundy (f) Investigative reports, statements and field notes based on interviews conducted by Pitkin County investigators

from the - in it appropriate

1. TRANSCRIPT  
2. REPORTS - REPORTED  
3. NOTES BY PITKIN CO.

PA LOOK INTO & ADVISE COURT

Report to Court



Specifically, dependent subs

(a) The names and addresses

B Copy supplied for court orders  
issued in connection with Investigator  
Michael Fisher's obtaining Chevron Oil  
Company credit card receipts of  
Theodore K. Bundy (card # 669-002-02475).  
Defendant also requests the names



3. The prosecution has provided to the defense approximately 325 pages of "discovery" material. The vast majority of this paperwork includes police reports, witness statements, correspondence with other law enforcement agencies and laboratory reports pertaining to the Carol Campbell case accumulated prior to the time the defendant became a suspect in this case. Much of the remaining material dependent and seen or had knowledge of prior to coming to Colorado: his statement of March 11, 1976, FBI laboratory reports, his psychological reports from Goldwater State Prison and a small amount of material already discovered in the course of the Carol Campbell case. Among the entire 325 pages of discovery material only a mere 13 pages is devoted to the defendant and the intense investigation which has centered on him in the Campbell case since August 22, 1975. Twenty months of investigation reduced to a 13 page, unsigned summary.

4. The defendant contends that the bulk of the discovery material thus far received is useless and misleading. It is a haystack with no needle. The prosecution, having established a precedent of disclosing







motion for expert  
page 5

Dated this 28th day of May, 1977

Respectfully Submitted,

Walter R. Bunnay  
Theodore R. Bunnay  
Pro Se



and have sent by parcel post to  
Chuck Morton at Western Laboratories  
the following items:

(a) Head hair samples from  
Caryn Campbell, designated in FBI  
reports as K-5,

(b) Head hair samples from  
Carol DaRonch, designated in FBI  
reports as K-4,

(c) Pubic hair samples of  
Mellisa Smith, designated in FBI  
reports as K-2; and

(d) all human hair specimens  
obtained from a 1968 Volkswagen  
(Serial no. 118731155) which formerly  
belonged to Theodore R. Bubbly,  
including:

(I) the questioned ~~2~~ (3) specimens  
which the FBI found to be microscopically  
like head hairs of Caryn Campbell,  
(II) the questioned (3) specimens  
taken from said vehicle which specimen  
the FBI found to be microscopically  
like head hairs of Carol DaRonch, and

(III) the questioned (3) specimen  
taken from said vehicle which the FBI  
found to be microscopically like pubic  
hairs from Mellisa Smith.

This second order should also  
dictate that the above and aforementioned  
human hair be sent to Western Labs  
on or before May 16, 1977.



6. Mr. Morton's testimony may be needed at the pre-trial hearings scheduled for June 7, 1977. To prepare both himself and the defendant for such testimony he must first examine personally all the known and questioned hair samples previously examined by the FBI. Law enforcement agencies routinely send such evidence to Western Laboratories. Mr. Morton is best prepared to examine hair specimens in his own Laboratory.

7. Finally, defendant bases his request for bail upon witness and prior testimony of the State's hair evidence on the usual protection requirement of the 14th Amendment to both U.S. Constitution and the confrontation and fair trial guarantees of the 6th Amendment, and the due process guarantee of the 5th Amendment.

Wherefore, Defendant moves the court to issue the following orders:

1. An order appointing Chuck Morton of Western Laboratories to perform the functions of expert witness and consultant to the defense, and further agreeing to pay him his standard fee plus expenses.

2. An order directing the Pitkin County District Attorney to locate



same microscopic characteristics. There is no available data to suggest what percentage of Caucasians (5% or 15%?) possess the same hair characteristics as Mr. Campbell's.

3. In order to validate the hair comparison findings of the FBI, to prepare the defendant to cross-examine the state's expert witness, Agent Robert Neil, and to conduct further examinations regarding hair specimens found in defendant's car, the defendant has located a person in the human hair analysis field whose qualifications render him an expert in this area.

4. Defendant seeks the services of Chuck Morton, an associate of Western Laboratories, 2945 Webster, Oakland, Ca, 94609 (phone 415-451-1060). Mr. Morton has testified in over 100 cases involving human hair evidence and has conducted several thousand actual examinations. He has testified in both a prosecution and defense witness. He is presently President of the California Association of Criminalists.

5. Mr. Morton requires a court order guaranteeing him fees and expenses before he can begin working on this case on behalf of the defendant.



Check Masters & ~~any~~ <sup>any</sup> account to be advised of by mail. —  
— Will be subject to jurisdiction of Ct. —  
order — custody. — 1 Fee to be established  
by approval. — MKS

In the District Court  
In and for the County of Pitkin  
State of Colorado

Criminal Action Number C-1616

People of the State of Colorado,  
Plaintiffs,  
vs  
Madeline R. Burdoy,  
Defendant,      Action for the  
Apprehension of an  
Eject in Human Hair  
Analysis and for  
Establishment of a  
Procedure to Establish and  
Identify Human Hair Specimens.

Comes now the Defendant, Burdoy,  
Madeline R. Burdoy, and states as  
follows:

1. The prosecution in this matter relies heavily upon the circumstantial evidence that two questioned strands of human hair allegedly removed from a 1968 Volkswagen formerly belonging to the defendant were "microscopically like" the hairs of specimen KS" which was a hair sample from Canyon Campbell, the victim in this case. The microscopic comparison was conducted by the F.B.I.
2. The F.B.I. states further that the hair either came from the person represented by KS (Canyon Campbell) or some other individual of the Caucasian race whose hair has inhibited the



Motion for Continuance  
Page 3

Wherefore the Defendant moves  
the court to order a continuance  
of two weeks for both the filing  
date, currently May 5, 1977, and  
the hearing date currently June 7, 1977  
of the suppression hearing motions.

Dated this 20th day of April, 1977.

Respectfully Submitted,

William G. Sunday

THEODORE R. BUNYARD

Pro Se



3. Due to practical difficulties, those who must comply with the court's ruling have encountered the defendant has not yet received any of the supplies or been given any opportunity to do the legal research which the court ordered on April 25, 1977.

4. Because of this fact, defendant has been kept with virtually no capability to prepare the motions for pre-trial suppression hearings. (Due May 6, 1979, the legal memorandum and arguments for said hearings, and experts testimony, cross and direct examination, subpoenas duces tecum and investigation required for said hearings, which are scheduled to begin June 7, 1977. The success of that motion is crucial to the defense. The defendant should not and will not be forced to enter into such important proceedings without being fully prepared.

5. To assure ample time is available to prepare for those motions and hearings the defendant believes that filing and hearing dates for said motion must be continued for two weeks.



In the District Court  
In and for the County of Pitkin  
State of Colorado

Criminal Action Number C-1616

People of the  
State of Colorado,  
Plaintiff,

Motion to Continue  
Filing Dates and  
Hearings Dates for  
Pre-trial Suppression  
Motions

vs  
Theodore R. Bundy,  
Defendant.

Comes now the Defendant, whose  
Theodore R. Bundy, and states as  
follows:

1. In a motion for Equipment, Supplies  
Research material and Services Requested  
by a Pro Se Defendant to Prepare His  
Defense, filed April 20, 1977, and heard  
April 25, 1977, the defendant requested  
the "tools" to conduct his own defense.
2. The court stated in its ruling  
on this motion, "It is found that  
in order to make the constitutional  
right of the defendant to represent  
himself effective and meaningful, it is  
necessary to provide him with the  
supplies and ability to do legal research  
that are necessary to prepare a defense...."



People  
graph

of advisory counsel for the purposes  
of that hearing only.

Regarding the motion to exclude  
the Public from Pre-trial Exclusionary  
Hearings, I would anticipate  
setting a hearing date on that  
motion, coincident with or after  
the filing of suppression motions.

This date will depend, of course,  
on your decision on the continuance  
motion. Also in this regard,  
copies of the motion to Exclude shall  
be sent to media attorneys John  
Kane and Thomas Kelley. I will  
invite them to participate if the  
court allows, particularly if the  
oppose their participation.

Please let me know when  
the continuance motion can be  
heard.

Respectfully,

Andrew L. Binsky



Judge George John  
Parker Cal District  
508 E. Main  
Aspen, Colorado

Walter R. Bundy  
Sanfield Co. Jail  
Edenwood Springs, Cal

April 29, 1977

Re: May 9, 1977 Motion Hearing in  
Criminal Action Number C-1616

Dear Judge John:

Among the motions you will receive with this letter are an Motion for Continuance and a Motion to Exclude the Public. Both refer to the pre-trial preliminary hearings scheduled to begin June 7, 1977.

Since the motions required for those pre-trial hearings are due May 6, 1977 I would assume that I would have to have the matter of the continuance come before the Court before that date. However, I am not scheduled to be in court again until May 9, 1977. For the purpose of the continuance motion only, I would be willing to waive venue and permit a hearing on the matter in Edenwood Springs. I will also agreeably waive venue



Madore R. Bundy  
Sanford Co. Jail

April 29, 1977

Re: Copying of documents attached and  
mobile verification

1. Original copy to Pitkin Co. District Court.

2. One copy to: Colorado Public Defender  
1575 Sherman St

Denver, Colorado 80203  
att: Jim Dumas

3. One copy to: Pitkin Co. District Attorney  
806 E. Main  
Aspen, Colorado 81611

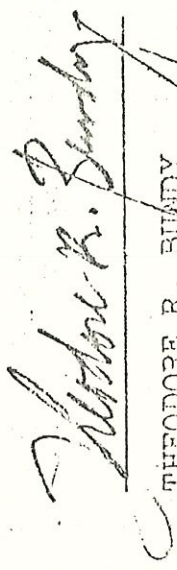
4. Two copies to Madore Bundy



Wherefore, Defendant moves the court to set a hearing date to review this motion and further requests an order upon conclusion of said hearing excluding the public from pretrial exclusionary hearings scheduled in this case, which order is to be consistent with the guidelines established by 3.1 of the aforementioned American Bar Association Minimum Standards.

Dated this 2nd day of May, 1977.

Respectfully Submitted,



THEODORE R. BUNDY  
Pro Se  
Garfield County Jail  
Glenwood Springs, Colorado



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

SA

THEODORE R. BUNDY,

Defendant,

MOTION TO EXCLUDE  
THE PUBLIC FROM  
PRETRIAL EXCLUSIONARY  
(SUPPRESSION) HEARINGS

Comes now the Defendant, pro se, Theodore R. Bundy  
and states as follows:

1. The defendant shall file with the court numerous motions designed to bring about the suppression and exclusion from future hearing or trial of evidence which is presently a part of the prosecution's case. Hearings on those motions are scheduled to begin on June 7, 1977.

2. Defendnat believes that, in the language of Section 3.1 of the American Bar Association Minimum Standards for Criminal Justice Relating to Fair Trial and Free Press, "the evidence or argument adduced at the hearing(s) may disclose matters that will be inadmissible in evidence at the trial and is therefore likely to interfere with his right to a fair trial by an impartial jury . . . ."

3. The seriousness of the offense with which the defendant is charged together with the substantial likelihood that continued publicity given to inadmissible evidence will interfere with his right to a fair trial makes it incumbent upon the court to use its broad powers to ensure a fair trial by and impartial jury.



Thodore R. Bunday  
Burlfield Co. Inc.

April 29, 1977

Re: Copying documents attached  
and certificates of delivery

1. Original copy to Pitkin Co. District Ct.

2. One copy to Colorado Public Defender  
1575 Sherman St.  
Denver, Colorado 80203  
attn: Jim Dumas

3. One copy to Pitkin Co. District Ct  
508 E. Main  
Aspen, Colorado. 81611

4. One copy each to John Kane of  
10th Floor Holme, Roberts & Owen  
UNITED BANK BODEN (Address not known)  
1700 BROADWAY Denver, Colorado 80203  
and

Thomas B. Kelley of  
1340 DENVER CLUB Bldg, N. Hill & Evans  
(Address not known)  
Denver, Colorado. 80202

5. Two copies ~~copy~~ to Theodore Bunday

Total 5 copies



IN THE DISTRICT COURT  
IN AND FOR THE COUNTY OF PITKIN  
STATE OF COLORADO

Criminal Action No. C-1616

THE PEOPLE OF THE  
STATE OF COLORADO,

Plaintiff,

AFFIDAVIT IN SUPPORT  
OF MOTION TO IMPROVE  
DEFENDANT'S CONDITIONS  
IN THE GARFIELD COUNTY  
JAIL

vs.

THEODORE R. BUNDY,

Defendant.

I, Theodore R. Bundy, being first duly sworn upon  
oath, depose and say:

**1.** On April 11, 1977, Judge George E. Lohr, at the request of the Pitkin County Sheriff, Dick Kienist, held a hearing to determine if sufficient grounds existed to transfer me from the Pitkin County Jail in Aspen, Colorado to the Garfield County Jail in Glenwood Springs, Colorado. Citing general concerns of health safety, and security, Sheriff Kienist and Undersheriff Ben Meyers testified in favor of the proposed move. Immediately at the close of respective arguments of prosecution and defense counsel, the court granted the application for my transfer, and on the afternoon of April 11th Pitkin County Sheriff's Deputies transported me to Garfield County.

**2.** Upon my arrival at the Garfield County Jail I was confined in a solitary cell under maximum security isolation conditions. I believe these conditions to be harsh, excessive, and unwarranted. I have remained incarcerated under these conditions for four weeks. I believe that the conditions to which I am being subjected violate:

(a) my Eighth Amendment right to be free from cruel and unusual punishment,



(b) my Fourteenth Amendment right to be free from arbitrary denials of liberty without due process of law, and

(c) provisions of Colorado constitutional and statute law governing health and safety standards in jail facilities.

3. The conditions of which I complain are described in detail as follows:

(a) The cell measures  $12\frac{1}{2}$  feet long by  $6\frac{1}{2}$  feet wide by  $7\frac{1}{2}$  feet high. It has steel walls, a steel ceiling and a concrete floor. The door is solid steel with a small window, voice grating and closeable food slot. The cell contains two steel bunks, 3 feet by 6 feet long. Lighting fixtures at two locations in the room contain a 150 watt and a 100 watt light bulb respectively. Lights are turned out between 9:00p.m. and 6:30a.m.. There is a combination toilet and sink in the cell. There is also a shower.

(b) I was provided with one plastic mattress, and a hard, extremely soiled blanket. No sheets, pillow or pillow case were provided to me.

(c) There are vents at two different locations on the ceiling. Rarely, if ever, does air, hot, cold or fresh, ever circulate through them. The cell atmosphere is very hot and stagnant, causing eye irritation and skin driness. Only when the food slot is opened at meal-time (for fifteen minutes twice a day) does the relatively fresh air from the corridor flow into my cell. No natural light is available anywhere in the jail. No fresh air circulates in or near my cell.

(d) I am feed twice daily. Once at approximately 7:00a.m. and again about ten hours later at 5:00p.m.. While the meals are well prepared and of good quality, the total



Affidavit In Support Of Improved Conditions

Page 3.

daily diet provides on the average between 1,000 and 1,500 calories per day. The National Academy of Sciences Recommended Daily Allowances (RDA) suggest that an adult male (160 lbs.) engaged in light activity should consume 2,600 calories daily.

I have lost between 10 and fifteen pounds since my arrival here four weeks ago. In addition, the insufficient quantity affects the intake of protien, vitamins and minerals. For example the combination of uneven lighting and a vitamin A deficient diet has begun to affect my eyes.

Jail personnel, trustees and selected minimum security inmates are fed lunch. I must watch them as they carry their meals by my cell. I believe that by working 12 and 16 hours per day on my case, my nutritional requirements are the same as those of any white collar worker.

(e) I am generally locked in my cell twenty-four hours a day, seven days a week. No provision for recreation, exercise, fresh air or exposure to sunlight is made for me. The small confines of the cell provide virtually nothing in the way of a capability to exercise.

(f) I am kept in isolation. I do not have and have not had a cellmate. Other inmates have been instructed not to talk to me or to respond in any way to my calls for assistance. Inmates who even converse with me are threatened with punishment. Were it not for my legal activities, I would remain totally isolated.

(g) There is no desk or suitable writing surface in my cell. I must, therefore, sit on the floor and read, write, and type on the lower bunk. Because the upper bunk casts a heavy shadow on the lower one, my eyes become sore and my vision blurred due to the poor light.